

AGREEMENT made this

day of

by and between the COMMONWEALTH OF MASSACHUSETTS, hereinafter called the "Commonwealth", through its DEPARTMENT OF PUBLIC WORKS, hereinafter called the "Department", and the CITY OF BOSTON, hereinafter called the "City".

WHEREAS, the Department proposes to reconstruct a section of Summer Street in the City of Boston, in the County of Suffolk, in said Commonwealth, the work to be financed in part by funds provided by the Federal Government, Federal Aid Project Number M-1037(001), and

WHEREAS, the City desires the Department in conjunction with said project to perform certain work as shown on plans labelled:

"URBAN SYSTEMS PROJECT IN THE CITY OF BOSTON, SUFFOLK COUNTY;
FEDERAL AID PROJECT NO. M-1037(001)",

and as detailed as non-participating work in calculation books numbered 6452 and 6736, which plans and books are on file in the records of the Department, and

WHEREAS, the parties hereto have reached an agreement as to the apportionment of the work, the expense, ownership and future maintenance of the above mentioned work.

NOW THEREFORE, in consideration thereof, the Department and the City agree, each with the other, as follows:

DIVISION OF WORK

The Department, by its own Contractor, will supply all the labor, materials, equipment and other services required to construct the above mentioned work, (hereinafter referred to as "non-participating work").

An estimate of items and quantities of work, dated August 11, 1978, necessary for the construction of the above work is attached hereto and made a part hereof.

DIVISION OF EXPENSE

In consideration of the benefits to be derived by the City from said construction, the City agrees to pay in amounts equal to the bid prices of the Department's Contractor, per unit of work, for the actual number of units of work completed for the construction outlined above, as shown on the attached estimate.

The following costs for non-participating work shall also be borne by the City:

1. Extra work orders signed by the City's Commissioner of Public Works.
2. Other costs directly attributable to the non-participating work (i.e. safety measures, police protection etc.) which may arise on an emergency basis thereby precluding the written consent of the City's Commissioner of Public Works.

3. Claims for extra work by the Department's Contractor arising out of but restricted to the non-participating work of which the Commonwealth shall promptly notify the City upon notice to it.

Upon written notification from the Chief Engineer of the Department that work is about to commence on the project, the City will deposit with the Department an amount equal to twenty-five (25) percent of the estimated cost of the non-participating work based on the attached estimate of items and quantities at the bid prices of the Department's Contractor from which deposit payments will be made to the Department's Contractor.

As work progresses and the need for additional funding becomes imminent, the Department shall so notify the City stipulating the next twenty-five (25) percent or the estimated amount required for the forthcoming construction phase. The City shall thereupon deposit such amount with the Department.

The intent of the foregoing is to insure that the Department will have sufficient funds available at all times to make payments to the Contractor in accordance with the schedule prescribed in the contract documents.

The parties hereto further agree that at the time of final billing to the Department's Contractor, any balances which may exist between the amounts due to the Contractor and the amount on deposit from the City will be refunded or additionally funded as may be required.

OWNERSHIP AND FUTURE MAINTENANCE

Upon completion of the Department's project, title to facilities constructed under this Agreement shall vest with the City and the City shall thereafter maintain said facilities as constructed, including the cost thereof.

IN WITNESS WHEREOF, the parties hereto have executed this
Agreement on the day and year first above written.

Approved

John

P.M.H.

John
John
P.C.L.

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

John M. DiCaromino
COMMISSIONER

Patsy Donader
Associate Commissioner

James H. Herre
Associate Commissioner

Associate Commissioner

Associate Commissioner

F.H.W.A. Approval Not Required

CITY OF BOSTON

March 29, 1979

MEMORANDUM

3750
3129

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: SOUTH STATION PROJECT, MASS R-82C
SUMMER STREET, AGREEMENT TO REIMBURSE THE MASS DPW FOR NON-PARTICIPATORY ITEMS

The South Station Urban Renewal Plan identified the re-building of Summer Street as a project to be undertaken by the City. At a substantial savings to the Authority, the State and Federal Government have agreed to fund the major elements of this project under the Urban Systems program. A few additional elements are not eligible for State and Federal funds and would remain the Authority's costs. This project has been designed and the Commonwealth of Massachusetts has awarded the contract to the low bidder, John J. Paonessa, in the amount of \$3,056,169, subject to an agreement being executed between the Mass. DPW and the BRA, whereby the Authority will reimburse the State for all the ineligible items, currently estimated at \$314,188. These items include granite paving and some water and sewer improvements which were outside the scope of urban systems funding.

The bid amount for these items has been reviewed by our consulting engineers and found to be reasonable, and it is recommended that the Director be authorized to enter into a reimbursement agreement with the Mass. DPW for an amount of \$314,188 based upon the unit price bid and the estimated quantities contained in the contract. A budget and copy of the reimbursement agreement is attached.

VOTED: That the Director is authorized to execute a contract on behalf of the Authority with the Commonwealth of Massachusetts for payment of non-participatory items in the Summer Street Urban Systems Federal Aid Project No. M-1037 (001) located in the South Station Urban Renewal Project, Mass R-82C, based upon the unit prices and estimated quantities in the amount of \$314,188 with funding provided under Item II budget.

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
PRELIMINARY ESTIMATE

PAGE TO OF 11

Revised 1/1/79 & 3/9/79

by JAV

* R: 11-16-78

BBSMSTF

BOSTON - SUMMER STREET

Lower Bidder

(4) 100 PC CITY

August 11, 1978

ITEM NO.	QUANTITY	UNIT	ITEM DESCRIPTION	UNIT PRICE	TOTAL
120.1	80	CY	UNCLASSIFIED EXCAVATION	5.00	300.00
121.	5	CY	CLASS A ROCK EXCAVATION	40.00	200.00
141.	5	CY	CLASS A TRENCH EXCAVATION	15.00	75.00
142.	600	CY	CLASS B TRENCH EXCAVATION	35.00	21,000.00
144.	30	CY	CLASS B ROCK EXCAVATION	50.00	1,500.00
151.	10	CY	GRAVEL BORROW	6.50	65.00
151.2	25	CY	GRAVEL BORROW FOR SIDEWALK	6.50	162.50
156.	100	TEN	CRUSHED STONE FOR DRAINAGE, REVET. AND W.W. FOUNDATIONS	10.00	1,000.00
56.12	18	TEN	CRUSHED STONE FOR CURB FOUND.	10.00	180.00
170.	90	SY	FINE GRADING AND COMPACTING - SUBGRADE AREAS	0.75	67.50
226.	5	EA	CLEANING DRAINAGE STRUCTURE	45.00	225.00
226.3	200	LF	CLEANING DRAINAGE PIPES	4.00	800.00
247.06	80	LF	6 IN. CLAY SANITARY SEWER PIPE	35.00	2,800.00
247.10	70	LF	10 IN. CLAY SANITARY SEWER PIPE	35.00	2,450.00
308.9	3012	LB	DUCTILE IRON FITTINGS FOR WATER PIPE	2.75	8,283.00
321.042	65	LF	4 IN. D.I. WATER PIPE CLASS 52 CEM. LINED-RUBBER GASKET	17.00	1,105.00
321.062	140	LF	6 IN. D.I. WATER PIPE CLASS 52 CEM. LINED-RUBBER GASKET	25.00	3,500.00
321.082	190	LF	8 IN. D.I. WATER PIPE CLASS 52 CEM. LINED-RUBBER GASKET	26.00	4,940.00
321.122	1,534	LF	12 IN. D.I. WATER PIPE CLASS 52 CEM. LINED-RUBBER GASKET	35.00	53,690.00
321.126	570	LF	12 IN. D.I. WATER PIPE CLASS 56 CEM. LINED-RUBBER GASKET	42.50	41,225.00
321.162	550	LF	16 IN. D.I. WATER PIPE CLASS 52 CEM. LINED-RUBBER GASKET	50.00	27,500.00
321.203	90	LF	20 IN. D.I. WATER PIPE CLASS 53 CEM. LINED-RUBBER GASKET	65.00	5,850.00
323.086	175	LF	8 IN. D.I. WATER PIPE CLASS 56 CEM. LINED-MECHANICAL JOINT	41.00	7,175.00
347.2	25	LF	2 IN. COPPER TUBING-TYPE K	14.00	350.00
350.04	1	EA	4 IN. GATE + GATE BOX	325.00	325.00
350.06	6	EA	6 IN. GATE + GATE BOX	350.00	2,100.00
350.08	6	EA	8 IN. GATE + GATE BOX	400.00	2,400.00
350.12	7	EA	12 IN. GATE + GATE BOX	850.00	5,950.00
					195,698.00

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
PRELIMINARY ESTIMATE

PAGE 11 OF 11

BSMSTF

BOSTON - SUMMER STREET

Revised 1/11/78
by J.A.V.

(4) 100 PC CITY

August 11, 1978

ITEM NO.	QUANTITY	UNIT	ITEM DESCRIPTION	UNIT PRICE	TOTAL
351.06	1	EA	6 IN GATE + GATE BOX REM+RESET	200.00	200.00
351.08	1	EA	8 IN GATE + GATE BOX REM+RESET	200.00	200.00
356.16	1	EA	16 IN. BUTTERFLY VALVE AND VALVE BOX	2,000.00	2,000.00
363.15	1	EA	1-1/2 IN. CORPORATION COCK	100.00	100.00
363.2	1	EA	2 IN. CORPORATION COCK	100.00	100.00
376.3	6	EA	HYDRANT-REMOVED AND STACKED	100.00	600.00
376.4	2	EA	HYDRANT LS & HS (MUN STD)	1,100.00	2,200.00
376.5	1	EA	HYDRANT HP FIRE SERV (MUN STD)	3,700.00	3,700.00
460.	50	TON	CLASS I BITUMINOUS CONCRETE PAVEMENT TYPE I-1	19.00	950.00
463.	50	GAL	BITUMEN FCR PRIME COAT	3.50	175.00
72.4	150	SY	PERMANENT PATCH	28.00	4,200.00
04.	325	LF	GRANITE CURB TYPE VA4-STRAIGHT	9.00	2,925.00
504.1	25	LF	GRANITE CURB TYPE VA4-CURVED	14.00	350.00
590.	45	LF	CURB REMOVED AND STACKED	1.00	45.00
656.31	200	LF	CHAIN LINK FENCE REMOVED	2.50	500.00
701.	90	SY	CONCRETE SIDEWALK-1 COURSE	12.00	1,080.00
*706.515	794	SY	PAVED CROSS WALK-GRANITE	100.00	79,400.00
813.58	2	EA	FIRE ALARM BASE FURNISHED AND INSTALLED	300.00	600.00
827.21	1	EA	24 INCH WARNING CLUSTER (H1-2) -ALUMINUM PANEL TY. A	70.00	70.00
832.1	30	SF	WARNING-REGULATORY AND ROUTE MARKER - ALUM. PANEL TY. A	8.00	240.00
864.02	85	SF	PAVEMENT ARROWS AND LEGENDS - PLASTIC SHEETING	4.00	340.00
866.04	60	LF	4 IN. REFLECTORIZED WHITE LINE (THERMOPLASTIC)	0.25	15.00
867.04	400	LF	4 IN. REFLECTORIZED YELLOW LINE (THERMOPLASTIC)	0.25	100.00
877.3	8	EA	SIGN POST 2 IN. STEEL	75.00	600.00
				550	
	4	EA	DIFFERENTIAL BETWEEN HYDRANT LS & HS (MUN. STD.) AND HYDRANT R&R	550.00	2,200.00
	2	EA	DIFFERENTIAL BETWEEN HYD. HP FIF 3,150.00 SERVICE (MUN. STD) AND HYDRANT R&R	1,500.00	6,300.00
			100% CITY OF BOSTON		\$ 109,190.00
				SHEET	195,698.00
					\$ 304,888.00
**	50	EA	SET OF YOKES FOR 24" WATER	@ 186.00	9,300.00
				TOTAL	\$ 314,188.00

